

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GARY JENKINS, o/b/o N.J., a)	
minor child,)	
)	CV 84 ⁵⁴ -202-HU
Plaintiff,)	
)	
v.)	
)	
JO ANN BARNHART,)	ORDER
Commissioner of Social Security,)	
)	
Defendant.)	


Magistrate Judge Dennis J. Hubel filed his Findings and Recommendation on March 24, 2005. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the record de novo review. Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983). See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). I find no error. Accordingly, I ADOPT the Findings and Recommendation of Magistrate Judge Hubel.

The test for remanding for benefits rather than for

additional administrative proceedings has been met. This case is reversed and remanded for the payment of benefits.

IT IS SO ORDERED.

DATED this 7 day of April, 2005.


OWEN M. PANNER
U.S. DISTRICT COURT JUDGE